



**REQUEST FOR ADMINISTRATIVE LAW JUDGE--APPEAL, APPLICATION, OR PETITION**  
 NORTH DAKOTA OFFICE OF ADMINISTRATIVE HEARINGS  
 SFN 17819 (Rev. 03-2001)

Name of Agency, Board, or Commission  
 Public Service Commission

The above named agency, board, or commission requests designation of an administrative law judge from the Office of Administrative Hearings for the hearing in Case No. PU-06-278 Capital Electric Cooperative, Inc. vs. Montana-Dakota Utilities Co. Promontory Point III to be held on Monday, November 19, 2007 at 9:00 a.m. in the Commission Hearing Room, 12th Fl, Capitol, Bismarck. (e.g., application of [name], appeal of [name], petition of [name]). Authority for the administrative action is found in Title 49 \_\_\_\_\_ (North Dakota Century Code and/or North Dakota Administrative Code).

Please attach related documents and correspondence.

The administrative action is more fully described as follows:

It requests designation of an administrative law judge (please check one):

- To conduct the hearing and issue recommended findings of fact, conclusions of law, and order.
- To serve as a procedural administrative law judge only (no recommended decision). The agency head will be present at the hearing as required by NDCC 54-57-04(6).
- To conduct the hearing, issue findings of fact, conclusions of law, and a final order.

**PLEASE MAKE A REQUEST FOR AN ADMINISTRATIVE LAW JUDGE AT LEAST ONE MONTH BEFORE THE HEARING.**

Please list parties, including the agency if it is a Party, and Representation [attorney (or other)] if known, or Agency Contact: (Attach separate list if necessary.)

AGENCY Public Service Commission	Address 600 E Blvd Ave., Dept 408, Bismarck ND 58505	Telephone Number 701-328-2400
Representation William W. Binek, Chief Counsel	Address Same as above	Telephone Number 701-328-4088
PARTY Montana-Dakota Utilities Co.	Address 400 N 4th St., Bismarck ND 58501	Telephone Number 701-222-7900
Representation Dan Kuntz, MDU Resources Group	Address PO Box 5650, Bismarck ND 58502-5650	Telephone Number 701-530-1016
PARTY Capital Electric Cooperative, Inc.	Address PO Box 730, Bismarck ND 58502-0730	Telephone Number 701-223-1513
Representation Carol Larson, Pringle and Herigstad PC	Address PO Box 1000, Minot ND 58702-1000	Telephone Number 701-852-0381

*\* See attached*

Additional Comments  
 Hearing will be tape recorded and a court reporter may be present.

(For agencies required to use OAH, notice of hearing will be issued by the administrative law judge, unless a procedural administrative law judge is requested. Other requesting agencies and agencies requesting a procedural administrative law judge should first contact OAH about scheduling a hearing. If notice has already been issued, attach a copy of the notice.)

Typed or Printed Name and Title of Requesting Person William W. Binek, Hearing Administrator	Date 9-4-07
Signature of Requesting Person <i>x [Signature]</i>	Telephone Number 701-328-4088

Counsel for Montana-Dakota Utilities Co.

Mr Jerome C Kettleon  
Pearce & Durick  
P. O. Box 400  
Bismarck ND 58502-0400  
PH: 701-223-2890